

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

Vienna, the 5th January 2010

Bankruptcy case No: 08-1789 (BRL)
Claim No: 007191

Regarding: Opposition to the denial of Claim No. 007191

Dear Sir or Madam,

regarding the determination of the above mentioned claim by Irving H. Picard, Esq., Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff, we believe that although not being mentioned in the books of Bernard L. Madoff Securities Investments LLC (BLMIS) as direct customer we should be viewed as customers.

- The investment world since the inception of SIPA changed significantly; while formerly most investments were conducted via direct management of accounts, "state of the art" nowadays are investments via investment funds. So the purpose of the Securities and Investor Protection Act should be reviewed as a whole.
- As an investor in Bernard L. Madoff Securities Investments LLC through the Primeo Executive Fund EUR (Feeder fund) - which was mainly invested in the Herald Fund SPC - I should also be protected as well as any direct investor. As proof of my investment please find enclosed a copy of my Primeo Executive Fund EUR holdings.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,-. This amount not only contains redemption proceedings which the vast majority of shareholders of the fund never received but also tax payments which were made on behalf of shareholders and funded by their equity.
- In the proceedings (ADV. Pro. No: 09-1359 (BRL)) against Herald Fund SPC and HSBC Securities Services (Luxembourg) S.A. the trustee demands more than USD 578,033,847,-. In demanding this amount also from HSBC, the trustee claims money which the feeder funds i.e. their shareholders should be entitled too.

Because of these reasons, I oppose the denial of my claim and ask you to review my claim again and grant it.

Thank you in advance - yours faithfully

FLECK Elektroinstallationen Ges. m. b. H.
Wienerbergstraße 25B
Vienna A-1100, Austria

**Bank Austria
Creditanstalt**

MITTEILUNG

Fleck Elektroinstallationen GmbH Depot-Nr.: 00766 737 192
Bel. Nr.: 171695100002382

Wertpapier-Kauf

Datum/Date: 18.06.2007 Blatt/Sheet: 01/01 Währung/Curr: EUR Kontonummer/Account-No: 51000 027 903

Buchungstext/Text of entry			
ISIN: KYG7243T1013	Stk. 829,38	Primeo Fund - Primeo Executive Registered Shares EUR DL 1	
IKN: 789318		Loco LUXEMBURG Kassa 01.06.2007	Wertpapierrechnung
Kauf		Kurswert	EUR 99.999,88
Ausführung vom 18.06.2007/777494			
Abrechnung vom 18.06.2007/811576			
Kurs 120,57185 netto tout		LASTSCHRIFT	EUR 99.999,88
Wert 01.06.2007			
Name/Haupt(wohn)Sitz Fleck Elektroinstallationen Gesellschaft m.b.H. Wienerbergstraße 25 B 1100 Wien			

Firmenname/Company name: Bank Austria Creditanstalt AG, Firmenitz/Company location: 1030 Wien/Vienna, Vorderer Zolamtstrasse 13, Firmenbuchgericht/Register of Companies:
Handelsgericht Wien, FN 150714p, UID-Nr./VAT-identification number: ATU51507409, DVR 0030066, GLZ: 12000, BIC: BKAUAT33XXX

JA750

Bank Austria
Creditanstalt

MITTEILUNG

Fleck Elektroinstallationen GmbH Depot-Nr.: 00766 737 192
Bel.Nr.: 153565100001262

Wertpapier-Kauf

Datum/Date 22.12.2005
Blatt/Sheet 01/01
Währung/Curr. EUR
Kontonummer/Account-No 51000 027 903

Buchungstext/Text of entry			
ISIN: KYG7243T1013	Stk. 675,73	Primeo Fund - Primeo Executive	
IKN: 789318		Registered Shares EUR DL 1	
Kauf		Loco LUXEMBURG	Wertpapierrechnung
Ausführung vom 22.12.2005/534118		Kassa 01.12.2005	
Abrechnung vom 22.12.2005/738482		Kurswert	EUR 74.999,44
Kurs 110,99025 netto tout		LASTSCHRIFT	EUR 74.999,44
	Hert 01.12.2005		
Name/Haupt(wohn)Sitz		Wienerbergstraße 25 B	7780/-
Fleck Elektroinstallationen		1100 Wien	
Gesellschaft m.b.H.			

JA750

Firmenname/Company name: Bank Austria Creditanstalt AG, Firmensitz/Company location: 1030 Wien/Vienna, Vorderer Zolansstrasse 13, Firmenbuchgericht/Register of Companies:
Handelsgericht Wien, FN 150714p, UID-Nr./VAT-Identification number: ATU51507409, DVR 0030066, BIZ: 12000, BIC: BKAUAT33

gP1 79 043789

8/14

**Bank Austria
Creditanstalt**

~~MITTEILUNG~~
~~Fleck Flek~~

Installationen GmbHDepot-Nr.:
Bel.-Nr.:

00766 737 192
152015100001782

Wertpapier-Kauf

Datum/Date
20.07.2005

Blank/Sheet
01/01

Whg./Curt.
EUR

Kontonummer/Account-No
51000 027 903

Buchungstext/Text of entry

IKN:	789318	Stk.	526,066
ISIN:	KYG7243T1013		

Primeo Fund - Primeo Executive
Registered Shares EUR DL 1

Wertpapierrechnung
Kauf vom 24.06.2008

Loco LUXEMBURG

Kauf vom 24.06.2005
Auftrag vom 20.

Kassa 24.06.2005

Abrechnung Nr.: 23/050720/B312482-0
108 35

Kurswert EUR 24.00.2003

Adrelinamyl n. : 27
Kurs 108,35

[illegible]

56.999,25

Wert 24.06.2005

DEBIT	EUR
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56.999,25

Name/Haupt(wohn)Sitz
Fleck Elektroinstallationen
Gesellschaft m.b.H.

Wienerbergstraße 25 B
1100 Wien

Spec 10.75 T780

Firmenname/Company name: Bank Austria Creditrealität AG, Firmenstz/Company location: 1030 Wien/Vienna, Vorderer Zollanstrasse 13, Firmenbuchgericht/Registry of Companies: Landesregister Wien, FN 150714p, UID-Nr./VAT-identification number: ATU51507409, DVR 0030066, BLZ: 12000, BIC: BKAUAT33

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Depotauszug

per 31.12.2008

Depotnummer
00766 737 192

Blatt 2

1190

Fleck Elektroinstallationen GmbH

Fleck Elektroinstallationen
Gesellschaft m.b.H.

Wienerbergstr. 25 B
1100 Wien

01190 1190

ISIN	Nennwert/Stück		Kurswert in EUR
STK DE000DBOUYW5	600,00	DEUTSCHE BANK AG TANDEM ZINSSAMMEL V.05(06/13) MIT KUPON 20.5.2009 / JÄHRLICH LAGERORT Brüssel Kurs in EUR 93,82	WR 56.292,00
STK DE000SG2KNP7	446,00	SGA SOCIÉTÉ GÉNÉRALE ACC. N.V. NIKKEI 225 IDX ZT.05/23.09.11 LAGERORT Brüssel Kurs in EUR 89,80	WR 40.050,80
Gesamtkurswert in Berichtswährung EUR			1.002.141,50
STK KYG7243T1013	2.031,18	PRIMEO FUND – PRIMEO EXECUTIVE REGISTERED SHARES EUR DL 1 LAGERORT Luxemburg	WR

ohne Bewertung

FORTSETZUNG